

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	<b>FOR FURTHER ACTION</b>		see Form PCT/ISA/220 as well as, where applicable, item 5 below.
NO 7613/WO	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)	
International application No.			
PCT/EP2004/011470	13/10/2004	13/10/2003	
Applicant			
NESTEC S.A.			

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box II).

3. ☐ Unity of invention is lacking (see Box III).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. \_\_\_\_\_

☐ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

- b. ☐ none of the figures is to be published with the abstract.

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/EP2004/011470

A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 A61K35/72 A61P1/00  
///(A61K35/72,35:12)

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, MEDLINE, EMBASE

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2002/155126 A1 (NAKAMURA TOMOHIKO ET AL) 24 October 2002 (2002-10-24) paragraph '0031!; claims	1,2,9
Y	US 5 665 352 A (BLEHAUT HENRI ET AL) 9 September 1997 (1997-09-09) the whole document	3-8
Y	US 5 665 352 A (BLEHAUT HENRI ET AL) 9 September 1997 (1997-09-09) the whole document	1-9
Y	US 4 643 897 A (GAYRAL PHILIPPE G ET AL) 17 February 1987 (1987-02-17) the whole document	1-9
Y	US 4 595 590 A (HUBLOT BERNARD ET AL) 17 June 1986 (1986-06-17) the whole document	1-9
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☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### \* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance: the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance: the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "S" document member of the same patent family

Date of the actual completion of the international search

17 June 2005

Date of mailing of the international search report

24/06/2005

Name and mailing address of the ISA

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# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/EP2004/011470

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	<p>CHAPOY P: "TRAITEMENT DES DIARRHEES AIGUES INFANTILES: ESSAI CONTROLE DE SACCHAROMYCES BOULARDII TREATMENT OF ACUTE DIARRHEA IN INFANTS: A CONTROLLED TRIAL OF SACCHAROMYCES BOULARDII"</p> <p>ANNALES DE PEDIATRIE, PARIS, FR, vol. 32, no. 6, June 1985 (1985-06), pages 561-563, XP001022122</p> <p>ISSN: 0066-2097</p> <p>the whole document</p> <p>-----</p>	1-9
Y	<p>KIMMEY M B ET AL: "PREVENTION OF FUTHER RECURRENCES OF CLOSTRIDIUM DIFFICILE COLITIS WITH SACCHAROMYCES BOULARDII" DIGESTIVE DISEASES AND SCIENCES, PLENUM PUBLISHING CO, US, vol. 35, no. 7, July 1990 (1990-07), pages 897-901, XP008030503</p> <p>ISSN: 0163-2116</p> <p>the whole document</p> <p>-----</p>	1-9

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No  
PCT/EP2004/011470

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 2002155126	A1	24-10-2002	JP 2001055338 A US 2003118607 A1	27-02-2001 26-06-2003
US 5665352	A	09-09-1997	FR 2711528 A1 CA 2118374 A1 DE 4437725 A1 GB 2283676 A ,B	05-05-1995 26-04-1995 27-04-1995 17-05-1995
US 4643897	A	17-02-1987	EP 0195870 A1 AT 49884 T DE 3575671 D1	01-10-1986 15-02-1990 08-03-1990
US 4595590	A	17-06-1986	AT 42466 T DE 3569673 D1 EP 0149579 A2	15-05-1989 01-06-1989 24-07-1985